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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA  
*ex rel.* THOMAS P. THRASH,

Plaintiff,

- against -

THE COCA-COLA COMPANY and  
COCA-COLA REFRESHMENTS USA,  
INC.,

Defendants.

Case No. 13-CV-02551 JCS

**RELATOR'S VOLUNTARY  
MOTION TO DISMISS WITHOUT  
PREJUDICE; [~~PROPOSED~~] ORDER**

Relator THOMAS P. THRASH, through his attorneys, moves this Court for an order dismissing this action without prejudice, and states as follows:

1. 31 U.S.C. § 3730 requires that before a Relator can dismiss a suit filed under the False Claims Act, that the United States Department of Justice consent to the dismissal, and that the Court approve the dismissal.

2. On February 6, 2014, the United States Attorney's Office for the Northern District of California ("DOJ"), on behalf of the United States, declined to intervene in this action.

3. On March 3, 2014, Relator notified the DOJ that Relator intended to move for dismissal of this action without prejudice as to Relator and the United States. *See* Declaration of Pierce Gore In Support of Relator's Voluntary Motion to Dismiss Without Prejudice.



**[PROPOSED] ORDER**

Good cause appearing therefor, **IT IS HEREBY ORDERED** that the above-captioned action is **DISMISSED WITHOUT PREJUDICE AS TO RELATOR AND THE UNITED STATES.**

Dated: March 6, 2014

